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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,209	07/02/2003	Philippe Duplessis	P6762	5696

28465 7590 05/09/2005

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EXAMINER

PHUONG, DAI

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 05/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/612,209

Applicant(s)

DUPLESSIS, PHILIPPE

Examiner

Dai A Phuong

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2003.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-12 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 17 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11-24-2003.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Ranta (6,832,093).

Regarding claim 1, Ranta discloses a method of controlling the availability of a cellular radio communication service, comprising the steps of: installing an independent beacon for broadcasting a radio signal in a protected zone (col. 9, lines 54-60), wherein said radio signal carries system information shaped according to a broadcasting channel of a cellular radio communication system, said system information including a service restriction indication in respect of terminals situated in the protected zone (col. 8, lines 66 to col. 9, lines 6); storing the service restriction indication in a terminal picking up said radio signal (col. 9, lines 17-30). Inherently, in order to indicate the user of mobile terminal is entering the restricted area, the mobile compares the coordinates of the restricted area are sent from the network which stores in the mobile to the latest location information); and executing a signaling sequence, prior to producing audible signals (col. 11, lines 53-58), in a call setup procedure between a cellular system and said terminal (col. 11, lines 46-53), said signaling sequence including transmitting the service restriction indication from said terminal to said cellular system (col. 11, lines 18-24).

Regarding claim 2, Ranta discloses all the limitation in claim 1. Further, Ranta discloses the method wherein said service restriction indication designates a type of protected zone (col. 6, lines 29-45).

Regarding claim 3, Ranta discloses all the limitation in claim 1. Further, Ranta discloses the method wherein said system information further includes data of geographical positioning of the beacon (col. 7, lines 46-62 and col. 9, lines 54-62).

Regarding claim 4, Ranta discloses all the limitation in claim 1. Further, Ranta discloses the method wherein the call setup procedure comprises analyzing the service restriction indication transmitted by the terminal in conjunction with a type of call being set up, so as to authorize or not continuation of the procedure (col. 11, lines 18-29).

Regarding claim 5, Ranta discloses all the limitation in claim 1. Further, Ranta discloses the method wherein the call setup procedure includes analyzing the service restriction indication transmitted by the terminal in conjunction with data for identifying the terminal, so as to authorize or not continuation of the procedure (col. 11, lines 18-29).

Regarding claim 6, Ranta discloses a radio communication terminal, comprising means for detecting broadcasting channels emanating from radio transceivers of at least one cellular radio communication system, and means for setting up calls with a cellular system through a transceiver of said system whose broadcasting channel has been detected (col. 3, lines 60 to col. 4, lines 14), wherein the detection means are arranged to further detect a radio signal broadcast by a radio beacon independent of the cellular system (col. 9, lines 54-67), said radio signal carrying system information shaped according to a broadcasting channel of a cellular system,

said system information including a service restriction indication in respect of terminals situated in a protected zone (col. 8, lines 66 to col. 9, lines 6), the terminal further comprising means for storing the service restriction indication included in the system information carried by the radio signal upon detection of said radio signal (col. 10, lines 1-8), and wherein the call setup means are arranged to execute a signaling sequence, prior to producing audible signals (col. 11, lines 53-58), in a call setup procedure with the cellular system (col. 11, lines 46-53), said signaling sequence including transmitting any stored service restriction indication to said cellular system (col. 11, lines 18-24).

Regarding claim 7, cellular radio communication system, comprising radio transceivers dispersed over a system coverage area, and means for setting up calls with terminals situated within range of said radio transceivers, wherein the call setup means are arranged to execute a call setup procedure with at least one terminal, comprising receiving from the terminal a service restriction indication emanating from a radio beacon independent of the system and analyzing said indication before validating call triggering (col. 13, lines 46 to col. 14 lines 17).

Regarding claim 8, Ranta discloses all the limitation in claim 7. Further, Ranta discloses the system wherein the analysis of the service restriction indication received from the terminal is performed in conjunction with a type of call being set up (col. 11, lines 18-29).

Regarding claim 9, Ranta discloses all the limitation in claim 7. Further, Ranta discloses the system wherein the analysis of the service restriction indication received from the terminal is performed in conjunction with data for identifying the terminal (col. 11, lines 18-29).

Regarding claim 10, Ranta discloses all the limitation in claim 7. Further, Ranta discloses the system wherein the service restriction indication received from the terminal designates a type of protected zone (col. 6, lines 29-46) where the availability of the cellular service is restricted Ranta discloses all the limitation in claim 7. Further, Ranta discloses the.

Regarding claim 11, Ranta discloses all the limitation in claim 7. Further, Ranta discloses the system wherein the service restriction indication is received from the terminal with data of geographical positioning of the radio beacon (col. 9, lines 56-67), which are taken into account in the analysis (col. 11, lines 18-29).

Regarding claim 12, Ranta discloses all the limitation in claim 7. Further, Ranta discloses the system wherein the analysis of the service restriction indication received from the terminal takes into account the call setup time (col. 11, lines 18-29).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ariga (U.S 6625455) portable telephone set in a restricted zone

Van Leeuwen et al. (U.S 6597906) communication based on relative position information

Harris (U.S 6580372) automatic electronic device detection

Weber et al. (U.S 6314282) changing their operation mode

Sawada (U.S 6421544) radio communication system and control method

Heinonen et al. (U.S 6438385) mobile communication device

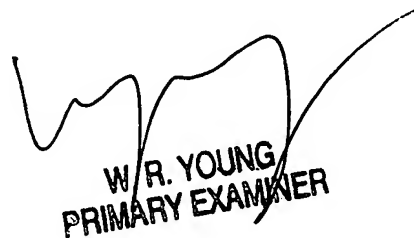
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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dai A Phuong whose telephone number is 703-605-4373. The examiner can normally be reached on Monday to Friday, 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dai Phuong
AU: 2685
Date: 01-20-2005



W. R. YOUNG
PRIMARY EXAMINER